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No. 8

House of Representatives

The House met at 10 a.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

During these days when our memories are filled with the life and work of Martin Luther King, Jr., we recall, O God, the works of justice that he did and inspired others to do and we rededicate ourselves to what we should be and to the good works that we can do. You have created us as one people, of one mind and heart and soul, to reflect the marvels of Your creation and to show forth the gifts of every person. May the vision of a people bound together by Your love, united by acts of justice, and confirmed by deeds of understanding and respect, make our dreams a reality in our land and in our hearts. And may Your blessing, O gracious God, that touches us in the depths of our being, be with us now and evermore. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The gentleman from Florida [Mr. PETERSON] will lead the House in the Pledge of Allegiance.

Mr. PETERSON of Florida led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1. An act to make certain laws applicable to the legislative branch of the Federal Government.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2. An act to make certain laws applicable to the legislative branch of the Federal Government.

The message also announced that pursuant to sections 42 and 43, of title 20, United States Code, the Chair, on behalf of the Vice President, appoints Mr. COCHRAN and Mr. SIMPSON as members of the Board of Regents of the Smithsonian Institution.

The message also announced that pursuant to Public Law 85-874, as amended, the Chair, on behalf of the President of the Senate, appoints Mr. DOLE to the Board of Trustees of the John F. Kennedy Center for the Performing Arts.

The message also announced that pursuant to Public Law 102-166, and upon the recommendation of the majority leader, the Chair, in conjunction with the minority leader, appoints Dr. Harriett G. Jenkins as Director of the Office of Senate Fair Employment Practices.

The message also announced that pursuant to section 1024 of title 15, United States Code, the Chair, on behalf of the Vice President, appoints Mr. ROTH, Mr. MACK, Mr. CRAIG, Mr. BENNETT, Mr. SANTORUM, Mr. GRAMS, Mr. BINGAMAN, Mr. SARBANES, Mr. KENNEDY, and Mr. ROBB, to the Joint Economic Committee.

The message also announced that the Chair announces the following two appointments made by the Democratic leader, Mr. Mitchell, during the sine die adjournment:

Pursuant to Public Law 103-236, the appointment of Mr. MOYNIHAN and Samuel P. Huntington of New York, as members of the Commission on Protecting and Reducing Government Secrecy.

Pursuant to section 114(b)(1) of Public Law 100-458, the reappointment of William Winter to a 6-year term on the Board of Trustees of the John C. Stennis Center for Public Training and Development.

The message also announced that the Chair announces the following appointment made by the Republican leader, Mr. DOLE, during the sine die adjournment: Pursuant to Public Law 103-359, the appointment of Mr. WARNER and David H. Dewhurst of Texas, as members of the Commission on the Roles and Capabilities of the United States Intelligence Community.

The message also announced that the Chair announces the following appointment made by the President pro tempore, Mr. BYRD, during the sine die adjournment: Pursuant to Public Law 103-394, and upon the recommendation of the Republican leader, the appointment of James I. Shepard of California, as a member of the National Bankruptcy Review Commission.

The message also announced that pursuant to sections 1928a-1928d, of title 22, United States Code, as amended, the Chair announces, on behalf of the Vice President, the following appointments, which were made during the previous Senate recess: Mr. DODD, Mr. DASCHLE, and Mrs. HUTCHISON, to the North Atlantic Assembly Fall Meeting during the 2d Session of the 103d Congress, which was held in Washington, DC, November 14-18, 1994.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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READING THE CONTRACT WITH AMERICA

(Mr. EHLERS asked and was given permission to address the House for 1 minute.)

Mr. EHLERS. Mr. Speaker, our Contract With America states: on the first day of Congress, a Republican House will: force Congress to live under the same laws as everyone else, cut one-third of committee staff, and cut the congressional budget.

We have done that.

In the next 91 days, we will vote on the following 10 items:

No. 1, a balanced budget amendment and line item veto;

No. 2, a new crime bill to stop violent criminals;

No. 3, welfare reform to encourage work, not dependence;

No. 4, family reinforcement to crack down on deadbeat dads and protect our children;

No. 5, tax cuts for families to lift Government's burden from middle income Americans;

No. 6, National security restoration to protect our freedoms;

No. 7, Senior Citizens' Equity Act to allow our seniors to work without Government penalty;

No. 8, Government regulation and unfunded mandate reforms;

No. 9, common sense legal reform to end frivolous lawsuits, and finally

No. 10, Congressional term limits to make Congress a citizen legislature.

This is our Contract With America.

DETAILS SOUGHT ON THE MURDOCH BOOK DEAL

(Mr. MILLER of California asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, I say to the Members of the House it is time now for some candor about the meeting you had with Rupert Murdoch and its relationship to your book deal. The Congress of which you said you were the Speaker of the entire Congress, not just of the Republicans, deserves some answers about what took place at that meeting and what you knew about the progression of your negotiations with Rupert Murdoch's company for your book contract.

I think it also raises a question about whether or not public officials ought to be allowed to engage in contracts for private gain while they are doing the public's business. To suggest that this meeting was only a courtesy visit or one of 30 visits that took place during that day is to mislead the public. The oldest game in this town is to have a lobbyist, a lawyer, or a special interest do you a favor and then a couple of days later ask one of their representatives that they might arrange a courtesy visit to come by. What they are doing in that visit is not courtesy; what they are doing is cementing the relation between the favor that was

previously done and suggestions of actions or business that they have before the Congress that they want you to be aware of.

We ought to know for the record what the facts were.

THE NEED FOR A BALANCED-BUDGET AMENDMENT

(Mr. CHRISTENSEN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. CHRISTENSEN. Mr. Speaker, last week we did an amazing thing. The House voted to live by the same rules and laws that the rest of the American people have to live by. Now, we need to take the next step. We need to pass a balanced budget amendment and put Government under the same accounting system that the rest of the American people have to deal with. Families have to balance their checkbooks; so should the Government. Families plan and prepare for the future; so should the Government. Where I come from, families want to give their children a chance to have a better life than they did. They work hard and they plan ahead.

They teach their children that money does not grow on trees, that you do not write checks unless you have money in your checking account, and you keep your checkbook balanced. It is time for the Federal Government to do the same.

Mr. Speaker, I urge my colleagues to treat the Government's checkbook as they would their own, and join me in supporting the balanced budget amendment.

A DEMAND FOR ACCOUNTABILITY TO THE AMERICAN PEOPLE

(Mr. PETERSON of Florida asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PETERSON of Florida. Mr. Speaker, a few days ago we were on this floor voting for numerous reforms of this House designed to bring more credibility to this great institution. At the time I spoke about passing reforms that would ensure that special interests did not compromise the work of this body by restricting gifts and deals from lobbyists. I also said that the message the American people sent us on November 8 was that they wanted us to be personally accountable to them, not to special interests. Certainly they do not want us to enrich ourselves through our public service. Unfortunately, over the past several days we have learned that our own Speaker has met with special interests in such a way that suggests backroom dealing and with the appearance of using his position for personal enrichment. I am confident that the American people will find this unacceptable in the way we represent their interests. Worst of

all, this kind of behavior discredits the people's House.

WHAT ARE WE AFRAID OF?

(Ms. DUNN of Washington asked and was given permission to address the House for 1 minute.)

Ms. DUNN of Washington. Mr. Speaker, the Democrats are trying to frighten the American people into thinking that balancing the budget is going to end modern civilization as we know it. They would like us to believe that the phrase "living within means" will bring destruction to everyone and everything in America.

Mr. Speaker, balancing the budget simply means that we will control spending and control growth to make the Government less costly, smaller, and more accountable to the American people. How can we be afraid of this?

Every hard-working American taxpayer balances the budget every month—every hard-working American taxpayer understands the meaning of living within one's means. Why are we afraid of practicing this same approach?

Mr. Speaker, it is time to pass the balanced budget amendment. It is time to get our spending under control. It is time to make the Government accountable to the American people. We should not be afraid to do what is right.

□ 1010

COMMENTS ON BOOK DEAL

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, it seems a book could be written on what the American people do not know about the Speaker's multimillion dollar book deal with one of publishing magnate Rupert Murdoch's companies. First we were told the Speaker had not met with Mr. Murdoch prior to signing his book contract. Yesterday the New York Daily News reported the Speaker had indeed met with Mr. Murdoch, but nothing of substance was discussed. Today, the Wall Street Journal reported that, in fact, issues surrounding pending legislation in which Mr. Murdoch has a direct interest were discussed in the meeting.

This meeting does not directly imply impropriety, but it does raise serious questions that deserve answers.

What exactly was discussed at this meeting? Did the legislative issues that Mr. Murdoch is so interested in come up in the meeting? Like foreign ownerships of U.S. media interests? Were the details of the Speaker's \$4 million book deal with Mr. Murdoch discussed?

Mr. Speaker, each day new revelations are raising new questions. The news reports create a cloud. That cloud can best be cured by addressing with a thorough and independent review the

details surrounding the Speaker's financial empire.

CHANGE HAS COME

(Mr. FUNDERBURK asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. FUNDERBURK. Mr. Speaker, it is the greatest honor of my life to be standing in the well of this great Chamber on behalf of the people of the Second District of North Carolina. From Durham and Rocky Mount to Lillington and Southern Pines, my constituents sent a clear message to Washington on November 8.

They want the power and authority of the Federal Government returned to them and to the States.

They want radical changes in the failed liberal programs of the past.

But, most of all they want Washington out of their pockets and off their backs, as Ronald Reagan so eloquently put it.

I am pleased to report that we are on our way. This new Congress marks the end of business as usual in the Nation's Capital. We have already begun to get the people's house in order beginning a new era of accountability. Next week we will get to work on tightening Government's belt with a balanced budget amendment, then we will reform welfare, cut taxes, and restore the morale of our military. We have changed the way Congress does business, now we will change the business Congress does. It is truly a new day in Washington and a new day for the people of eastern North Carolina.

STOP THE VIOLENCE

(Ms. FURSE asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

Ms. FURSE. Mr. Speaker, every night on television we see the horrors of war. We see children killed in places whose names we didn't even know. But I want to talk today about a war on much more familiar grounds, our own beloved America.

There was a small story in the Washington Post 2 days ago of two children killed by gunfire. There was not a big headline.

Well, no wonder. Because an average of 13 children a day are killed in America from gunfire in America. In 1993, there were over 24,000 murders in this country, and 17,000 of those were from gunfire.

Mr. Speaker, it is time we had a peace treaty in America. It is time we stop the violence.

LEGISLATION TO REPEAL THE DAVIS-BACON ACT

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, I am joined today by many of my colleagues in the introduction of legislation to repeal the Davis-Bacon Act. In one way or another, the act is expensive, inflationary, unnecessary, restrictive, and generally harmful to the structure and development of the construction industry. The act adds billions of dollars to Federal construction costs and the American taxpayers are picking up the tab.

Enacted during the throes of the Depression, the Davis-Bacon Act requires contractors on Federally funded construction to pay the prevailing wage. Now, more than 60 statutes incorporate the Davis-Bacon wage requirements by reference. In some instances, coverage of the Davis-Bacon Act has been further extended to situations in which the Federal Government merely has an interest through ownership participation, funds guaranty, or cases where the Federal Government contributes a minimal amount to a State or local project.

The rationale for special wage protection was never very persuasive but Davis-Bacon has remained in place since 1931, giving some construction workers a bonus at the bargaining table at the taxpayer's expense. For example, electricians working in Philadelphia on a Davis-Bacon project are paid \$37.97 an hour compared with electricians on a private contract who are paid an average of \$15.76 an hour.

The Congressional Budget Office estimates that the Davis-Bacon Act raises Federal construction costs nearly \$1 billion a year. Repeal of the act would allow the Federal Government to fund more construction projects with the money which is being spent, or to get the planned construction done for less money.

Finally, the Davis-Bacon Act is demonstrably unnecessary. Despite claims by labor leaders that workers would be victimized and exploited without Davis-Bacon, unionized construction firms do compete effectively in many private markets where Davis-Bacon does not apply. The Fair Labor Standards Act, which was enacted 7 years after the enactment of Davis-Bacon, establishes a minimum wage and overtime rate of 1½ times the hourly rate for employees working more than 40 hours in a week.

By repealing the Davis-Bacon Act, the taxpayers will be saved an estimated \$3.1 billion in construction costs and bureaucratic overhead over the next 5 years. Sixty-three years of artificially high construction costs are enough. I urge my colleagues to join me in supporting repeal of the Davis-Bacon Act.

UNFUNDED MANDATES

(Mr. UNDERWOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, the Unfunded Mandate Reform Act of 1995

is of great interest to State and local governments, and to my constituents on Guam.

We too have our share of the burdens imposed by the Federal Government.

Recently, we have been confronted with an unfunded mandate that illustrates how difficult it is to receive funding even when congressional intent to provide that funding is clear.

In 1986 Congress passed a law authorizing completely unrestricted immigration between Guam and three newly independent Pacific Nations that were formerly the U.S. Trust Territory.

Anticipating the impact on Guam of this Federal policy, Congress also authorized Guam to be reimbursed for costs resulting from this immigration. While Guam incurred over \$45 million in costs, over the past 7 years Congress appropriated \$2.5 million in its first payment to Guam last year—a noticeable improvement but still too little too late.

Uncle Sam, if you are not careful, you may soon be known on Guam as a deadbeat uncle.

KEEPING THE PROMISE OF A BALANCED BUDGET

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, last week, Republicans began the passage of the contract with America. We are changing the way Congress does business, and we are changing the business Congress does.

No longer will we pander to the big government, big bureaucracy legislation as Congress has in the past. We want to make the Government smaller, less costly, and more effective for the American taxpayer. To begin on this journey we must pass a balanced budget amendment.

In the next week, we will have on the floor legislation to make the Government live under a balanced budget. This concept makes sense to the American people—they live under a budget. It is time to make the Government do the same.

We will keep our promise to the American people to bring a balanced budget amendment to the floor. It is up to my colleagues on both sides of the aisle to make sure it is passed.

DISCLOSURE ON BOOK DEAL NEEDED

(Mr. DURBIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, Speaker GINGRICH has said that his multi-million dollar book deal was "like winning the lottery." Well, not quite, Mr. Speaker. Your lottery was no game of chance. You see, Mr. Speaker, you were

the only one holding a lottery ticket. And in addition, your lottery price was being decided by Rupert Murdoch and his publishing empire, a man who has extensive issues pending before Federal agencies.

This morning's Washington Post reported that many publishing companies refused to bid on the Speaker's book contract when Mr. Murdoch raised the offer into the millions of dollars.

The Republicans and Speaker GINGRICH have promised us new openness in dealing with the House of Representatives and politics in Washington. Let us start with openness and full disclosure on this multimillion dollar book deal. It is time for the Speaker to not only release the contract, but to come clean with the American people about all the circumstances surrounding it.

THE OSCE STATEMENT ON CHECHNYA

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, the Permanent Council of the OSCE has adopted a statement on Chechnya which emphasizes the seriousness of the violation of human rights and international humanitarian law that has characterized the Russian military action in Chechnya.

Affirming that respect for OSCE commitments is a legitimate concern of all signatory states, the OSCE has called for an immediate ceasefire and the beginning of negotiations for a political settlement, while respecting the territorial integrity of the Russian Federation.

Mr. Speaker, the OSCE had welcomed Russia's stated willingness to cooperate with the OSCE in stabilizing the region and restoring constitutional order and in the early dispatch of an OSCE mission to that country. However, it now appears that the Russians may permit an OSCE peace mission only after the offensive has ceased. That is totally unacceptable.

Mr. Speaker, any delay means more carnage, more dead civilians, more dead soldiers. The OSCE mission must be allowed immediate access to Chechnya, and this must be done with dispatch.

Mr. Speaker, for many days the administration has called this aggression an internal affair. Thankfully there has been a shift in the administration's position.

Next week as chairman of the Helsinki Commission, I plan to hold a hearing on this important matter, and hopefully we will see some progress then and now.

PERMISSION FOR COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO FILE REPORT ON H.R. 5, UNFUNDED MANDATE RE- FORM ACT OF 1995

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform and Oversight have until midnight tonight to file a report on H.R. 5, the Unfunded Mandate Reform Act of 1995.

The SPEAKER pro tempore (Mr. EWING). Is there objection to the request of the gentleman from Pennsylvania?

Mr. BONIOR. Mr. Speaker, reserving the right to object, at this time I do not intend to object, but under my reservation I would like to engage in a brief colloquy with my friend, the gentleman from Pennsylvania [Mr. CLINGER].

□ 1020

The gentleman from Pennsylvania knows of the concern on our side of the aisle on this issue. The fact is that this issue, which is extremely important to this Nation, an issue that deals with questions like toxic waste, safe drinking water, clean water, child safety, all of these very important issues wrapped into this significant piece of legislation, was discussed and marked up on the same day as the committee was organizing, without a hearing, although one member of the gentleman's side of the aisle testified and none on our side was allowed to testify, but no hearings on this.

As I understand it, a large percentage of the gentleman's committee now are new Members who have had, frankly, no experience with this particular legislation in the past.

We on this side have very grave concerns about waiving the rules, as the gentleman is asking for on this legislation. Normally I believe he would be able to file on Tuesday. The gentleman wants to file it tonight.

While we understand the need to move on, we are concerned about the process here. We are concerned about: Is this going to be the norm? Is this going to be the standard on which we on this side of the aisle will have to live and have to react in terms of our ability to get our point of view across without hearings, without adequate preparation by the new Members who are on the committee?

I would like to ask the gentleman from Pennsylvania, first of all, if he intends to go to the Committee on Rules and ask for an open rule on this?

Mr. CLINGER. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Speaker, I am happy to inform the gentleman that it is my intention, and I believe it would be concurred in by the chairman of the Committee on Rules, to ask for a completely open rule, and I believe that it has already been signaled that that will be the case.

Mr. BONIOR. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from New York [Mr. SOLOMON]. Will the gentleman from New York, the chairman of the Committee on Rules, care to respond to whether or not we will see an open rule on this?

Mr. SOLOMON. Mr. Speaker, if the gentleman will yield, I would be glad to respond to my good friend, a former member of the Committee on Rules.

Mr. BONIOR. Still am a member.

Mr. SOLOMON. The gentleman has taken a leave of absence, I understand, out of the goodness of his heart.

Mr. BONIOR. The gentleman will see me in there.

Mr. SOLOMON. The gentleman from Pennsylvania [Mr. CLINGER], has requested of our Committee on Rules an open rule. It is the intention that we will grant an open rule.

We will hold that hearing at 11 on Wednesday, and the gentleman is welcome to come up and testify.

I might point out that we did hold a hearing on the subject of this bill. We did not limit it to just title III, which was our jurisdiction in the Committee on Rules. We allowed the full discussion on the entire bill. We offered the Democrat minority the opportunity for Members to come and testify, as well as the private sector. And the minority did produce three people to testify. It was a very informative meeting.

From that, we came to the decision we should put out an open rule and let the House work its will, because it is probably one of the most important bills that will come before this House during this 104th Congress, especially in the eyes of the taxpayers of this Nation.

Mr. BONIOR. Mr. Speaker, further reserving the right to object, I would say to my friend the gentleman from New York, that while there were no hearings in the primary committee that deals with this, Government Operations, the Committee on Rules allowed three people from the entire country to participate, that is all, in this process.

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, I will say to my good friend we absolutely did not limit it. The gentleman was welcomed to have 5 or 10 witnesses, including Members of Congress, and the only panel that was asked for was the three from the private sector. It was completely open to as many as the gentleman would have desired.

Mr. BONIOR. Further reserving the right to object, Mr. Speaker, I would yield to another former member of the Committee on Rules, one of our strong advocates for the issues which I enumerated earlier on for discussion of this issue, and gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding to me.

I want to say at the outset that there is no one more admired by the minority than the gentleman from Pennsylvania [Mr. CLINGER]. We know him to be fair. We hold him in high esteem and even affection. But I would like to at least make some points that happened the other day that we think were very devastating, really, to the public's right to know.

The first thing is that there really is no emergency to rush this bill through. The effective date of the bill is October 1, 1995, so regardless of our action on this request, there would be no operative effect if the bill's report were filed today or Tuesday. Frankly, this is about politics, not policy.

I want to note that in their rush to bring this bill to the floor, debate was stifled so that the bill could be reported by our committee. There were several unprecedented breaches in our rights to consider legislation that occurred.

For example, there were no hearings.

On Tuesday, January 3, 1 day before the opening of the 104th Congress, the minority staff was informed by the majority staff that the unfunded mandates legislation would be considered on Tuesday, January 10, on the same day as the organizational meeting of the committee.

The following day, January 4, ranking member, CARDISS COLLINS met with Chairman CLINGER and gave him a letter requesting public hearings and sufficient time to review the legislation.

On Friday, January 6, Chairman CLINGER refused the request.

The fact that two hearings were held on the subject of unfunded mandates in the last Congress is irrelevant. The bill that was introduced on January 4, 1995, is a new bill. It is different from any bill considered in the previous Congress.

Moreover, 31 out of 51 of the members of our committee did not serve on the committee in the past Congress.

The request for public hearings is not a matter of procedure alone. Key groups that are affected by mandates were not involved in the drafting process, and have had no chance to be heard in the debate. These include ordinary citizens who may benefit from clean water and air, who have children receiving special education or immunizations, or who have parents receiving social security benefits. They include workers who receive the benefits of workplace protections, and minimum wage laws. They include private companies that are concerned by the competitive disadvantage that they would face if publicly owned competitors were not required to comply with the same laws with which they comply.

I would note that this timetable has seriously reduced Members' opportunity to review the bill.

The ranking member and the minority staff were given a xeroxed copy of the bill from the majority staff late in the afternoon on Wednesday, January 4. The minority xeroxed further copies

which were distributed to most minority Members on January 5. The actual printed version of H.R. 5 was not available until Friday, January 6. The markup was held 2 legislative days later on Tuesday, January 10.

The limited time for reading the bill, receiving comments on the bill, and drafting amendments, seriously impinged upon the Members' ability to craft thoughtful amendments.

I want to point out that the markup began with the acceptance of testimony of a Member of Congress who was not a member of the committee in violation of our rights.

After an opening statement by the chairman and ranking member, the chairman recognized Representative ROB PORTMAN, not a member of the committee, who was seated at the clerk's table, to make a statement concerning the bill.

Minority Members made points of order contending that the Chair had no right to recognize Members who were not members of the committee to make statements. A point of order was made that the acceptance of the Portman testimony constituted a hearing that violated both committee rules and House rules. A point of order was made that the decision to accept testimony from Representative PORTMAN denied the minority their right under rule XI, clause 2(j)(1) to call witnesses selected by the minority. Members also requested an opportunity to question Representative PORTMAN, which was denied, despite rule XI, clause 2(j)(2) which provides an opportunity to members of the committee to ask questions under the 5-minute rule.

In each case, the chair ruled against the points of order, with the justification that the Chair has the prerogative to recognize whomever he chooses.

At the end of Representative PORTMAN's testimony, he thanked the Chair for the opportunity to testify at this hearing.

I would note that several rulings of the Chair impinged upon our rights to offer amendments.

At the beginning of the markup, after the reading of section 1 of the bill, Representative MORAN offered an amendment in the nature of a substitute. Discussion of the amendment began despite the fact that the amendment had not yet been read. This problem was brought to the attention of the Chair.

After very limited debate, Representative BURTON moved the previous question, and a point of order was raised by Representative WAXMAN and others that the amendment had not yet been read, and that therefore there had been no opportunity to offer amendments to the Moran amendment. The point of order was denied. Subsequently, a point of order raised after the previous question had been ordered was denied because it came too late. The Chair appeared to rule that the fact that debate had begun on the Moran amendment prior to its reading, a point of order did

not lie that the amendment had not been read. There is no precedent of which we are aware for such a decision.

After the amendment of Representative MORAN was defeated, Representative KANJORSKI was recognized. He stated that he had a substitute at the desk, and in response to questions from the Chair indicated that it was different from the Moran amendment.

The Chair ruled that based upon discussions with the Parliamentarian, only one substitute could be offered during the consideration of section 1, and one substitute could be offered at the end of the bill. A point of order was made against the ruling, noting that under House rules, unlimited substitutes could be offered, assuming previous substitutes were defeated. It was denied.

We subsequently were advised by the Parliamentarian that multiple substitutes were in order.

In the middle of the markup, the Chair ruled that based upon advice of the Parliamentarian, the committee would not be allowed to offer amendments to sections 201 and 202, and sections 301, 302, and 303. The ruling was subsequently amended to include all of title III, and then amended again to provide committee jurisdiction over the new section 424(e) of the Congressional Budget Act of 1974 as added by section 301 of H.R. 5.

The ruling had the effect of permitting the committee only to consider the 1-year study commission in title I, the bill's definitions, purposes, and exclusions. The main portions of the bill which define unfunded mandates and establish a point of order against bills that fail to provide various budget analyses and an ability for agencies to ignore enforcement of unfunded mandates, as well as the provisions relating to agency regulatory analyses were placed off limits. Under the Chair's ruling, the Committees on Budget, Rules, and Judiciary, which received only a very limited sequential referral would be responsible for considering these key provisions. Under the ruling, the committee could not even consider changing the effective date contained in section 306.

The Tuesday markup of H.R. 5 was the first markup of the 104th Congress, and therefore the first markup conducted by the Chair. We do not wish that these procedural concerns be considered as a personal attack on the Chair. Indeed, we do not question the Chair's personal motives. However, all of these abuses were the direct result of the apparent orders to the Chair to move the bill out of the committee at all costs. As the letter from the chairman quoted above states, because of the pledge to enact laws within 100 days, "the Committee on Government Reform and Oversight has been asked to move this bill as quickly as possible." It is clear that the effort to bring the bill as quickly as possible was accomplished by trampling the

rights of the minority under the House rules.

Nonetheless, Mr. Speaker, we in the minority do not wish to use dilatory tactics to make our points, and I will not object to the gentleman's request. What we do want is an honest debate of the issue, at which time our amendments would not be dismissed. Therefore, Mr. Speaker, I will not object.

□ 1030

Mr. BONIOR. Mr. Speaker, further reserving the right to object, I would just conclude by suggesting that we hope in the future that the rights of the minorities in committees will be respected, that we will have full opportunity for hearings.

Mr. CLINGER. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Let me say that I recognize this was an extraordinary, but not unprecedented, procedure that was engaged in, Mr. Speaker. I want to assure the gentleman from Michigan [Mr. BONIOR], the minority whip, that this is not a procedure that I would intend to pursue on a regular basis.

My full intention would be to hold hearings on matters that would come under the jurisdiction of our committee in an orderly fashion and proceed to markup, but this was not an unprecedented action. I would remind the gentleman that in the past my committee, which was formerly under the control of your party, did indeed waive jurisdiction over a number of bills which were then brought to the floor for consideration, primarily on the Budget Reform Act.

So I agree that it was an extraordinary procedure, and I assure the gentleman it will not be followed on a routine basis, but that it was not unprecedented.

Mr. BONIOR. Further reserving the right to object, Mr. Speaker, I am glad to hear the new chairman of the committee is pledging to us today that this procedure will not be the norm and will not be followed, and that we will have full and open debate in hearings in the future.

With that, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I would engage the distinguished majority leader in a colloquy on the schedule next week.

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. I thank the gentleman for yielding, Mr. Speaker.

Mr. Speaker, next week the House will not be in session on Monday in observance of the Martin Luther King holiday.

We will meet on Tuesday. At the request of the minority we will meet at 9:30 for morning hour. We will consider one suspension, S. 2, the Congressional Accountability Act.

We intend to ask, by unanimous consent, to deal with accrued leave on Tuesday, but I must advise the minority, we are still working out the details. We are working with the minority. We think we are very likely able to raise that point also on Tuesday.

If votes are ordered on Tuesday, they will be detained until after 5 o'clock.

On Wednesday we will be in pro forma session, beginning at 11 o'clock.

Thursday, the House will meet at 10 o'clock and consider the rule on H.R. 5, unfunded mandates legislation. Pending passage of the rule, we will proceed to 2 hours of general debate on H.R. 5.

On Friday, the House will meet at 10 o'clock and take up amendments to H.R. 5, and early, as promised, the House will adjourn by approximately 3 o'clock on Friday.

Mr. BONIOR. Mr. Speaker, I would pose this concern to my friend, the gentleman from Texas. Over the years we have on this side of the aisle, when we were in the majority, had a tradition of notifying the minority of our schedule on Thursday. There have been exceptions to that, but they were extremely rare. We have consistently over the years paid the minority the courtesy of providing them with information in advance.

This information that my friend, the gentleman from Texas, is giving us this morning is new. We just received this information. I would hope in the future that we would have the ability to know further in advance what the schedule will be for the following week.

The second point I would make to the gentleman is that I am disappointed that the accrued leave bill is not before us today. I hope that we will have it before us on Tuesday, and we will be able to vote on it. The people who have earned these leave days by the sweat of their brow, by working for this institution, deserve to know that they will have what is coming to them, and what they have earned, so I hope that we will move forward on this Tuesday. We will be extremely disappointed if that does not happen.

Mr. THOMAS of California. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California.

Mr. THOMAS of California. The gentleman needs to know that this side was ready and willing to take up the accrued leave, which the gentleman from California intended not just to cover committee Members but personal staff as well, since I was concerned about the separation that was occurring between the way in which commit-

tee staff were being handled and Members' offices were being handled.

However, it came to our attention late yesterday that Members on the gentleman's side of the aisle, while he was still the majority, had dismissed some people on the 1st, 2d, and 3d of January.

The motion that we had instructed was at the beginning of the time that we became the majority, so the delay between today and Tuesday is to accommodate your side of the aisle, to make sure no one is left out of the accrued leave.

We are working out an amendment which will extend the time frame into the 103d Congress, covering those employees on the 1st, 2d, and 3d. So the delay is to make sure that everyone is accommodated. That is the reason for the delay.

Mr. BONIOR. I thank my colleague for the explanation. I was not aware of that. I was aware that the gentleman from California [Mr. FAZIO] had signed off on the legislation, and the gentleman from Arizona [Mr. PASTOR] came all the way in from Arizona to do it today, so you can imagine the disappointment on our side when we heard that it was not happening.

We will look into the gentleman's concerns, and I thank him for clarifying that.

I would also ask my friend, the gentleman from Texas [Mr. ARMEY], when we do the balanced budget amendment, when it goes to the Committee on Rules, does the distinguished majority leader anticipate an open rule on that particular piece of legislation as the gentleman from Illinois [Mr. HYDE], the chairman of the committee, has suggested?

Mr. ARMEY. If the gentleman will continue to yield, to return to an earlier point, there is a whip notice that is going out perhaps as we speak to notify Members of the schedule for next week.

These are extraordinary times, and I can assure the gentleman that as we proceed with the rest of the year, we will do our very best to minimize the gentleman's disappointments.

□ 1040

We are working on the rule for the balanced budget amendment, and to this point we have determined that we will be asking a preprinting requirement. We are most likely to not allow amendments except amendments in the nature of a substitute.

If the gentleman has any further questions, the distinguished chairman of the Committee on Rules I am sure would be more than happy to address them.

Mr. BONIOR. I do have further questions I would ask my friend from New York if he intends to limit the number of amendments in the nature of a substitute or are we going to have an open expression of a variety of different substitutes on this particular piece of legislation?

Mr. SOLOMON. I would say to my good friend that the gentleman knows that under former Presidents of the Democrat majority rule when we have had constitutional amendments come to the floor, we are following generally the same procedure, because it is so terribly complex. I would hope that we could entertain any legitimate substitute and have it made in order. However, there is going to be a constraint of time. Probably an ample number of amendments might be three or four on your side and possibly one on our side that may not be supported by the Republican leadership necessarily.

We want to be fair to everyone. We want to give everybody their fair shot. I would hope that that is the procedure we could arrive at.

We are going to be holding that hearing, incidentally, on Monday, January 23, that is a week from Monday, at 1 p.m. Again we hope that the membership will come up and we can discuss it and we would be glad to consult with the minority.

Mr. BONIOR. Does the gentleman intend to employ a procedure known as king-of-the-hill or queen-of-the-hill or do you plan on inventing a new procedure for us and surprising us?

Mr. SOLOMON. The gentleman knows that this gentleman has always been opposed to king-of-the-hill, where a substitute or an amendment could pass not having received the largest number of votes. That is not going to happen anymore. If we have any procedure at all, it will be the fair procedure of the substitute passing with the most votes wins. That is the way it should be on the floor of this House, and that is the way it should be in any committee.

Mr. BONIOR. I thank my colleague from New York and my friend from Texas.

ADJOURNMENT TO TUESDAY, JANUARY 17, 1995

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. on Tuesday, January 17, 1995.

The SPEAKER pro tempore (Mr. EWING). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

A VIEW ON THE BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE. Mr. Speaker, the Great Depression dealt the biggest economic blow this Nation has ever faced. The epidemic seemed never-ending, sweeping everything away in its path of economic destruction.

In the election of 1932, with the economy still contracting, Franklin Roosevelt complained of Hoover's deficit spending and raised the issue of the need to balance the Federal budget. However, by the end of the decade, the economy was improving under the direction of President Roosevelt and his New Deal policies, without calling for a constitutional amendment. Now, in 1995, we are visiting this issue again. As we dialog today, though, we must reflect on the lessons learned from yesterday.

As students of the economy, we know that if an economy is operating below its capacity to produce, the result is a cause for cyclical downturn. And if the Government needs to raise revenues or must spend less—requirements that will be unconditionally placed on this institution if the balanced budget amendment is passed—economic activity depresses further. Therefore, the efforts during the early 1930's to balance the budget might be theoretically counted as an economic contributor to prolonging the depression cycle.

This lesson rings as a reminder that there are situations which require economic responses other than constitutionally mandating that the Federal budget be balanced.

I urge my colleagues to further dialog on this issue.

BUDGET CUTS NEEDED FOR GAO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 5 minutes.

Mr. BEREUTER. Mr. Speaker, as the 104th Congress begins to examine areas to cut Federal spending, this Member would like to convey his strong support for reduced funding levels for the General Accounting Office [GAO], an investigative arm of the U.S. Congress.

Last year during consideration of the fiscal year 1995 legislative branch appropriations bill, this Member offered an amendment to cut funding for GAO by 5 percent below the fiscal year 1994 level. Unfortunately, this amendment failed by a close vote even though three committee chairmen vigorously worked against it on the House floor.

Mr. Speaker, during a time when the American public has called for reduced Federal spending, the GAO has continued to undergo funding increases. Most recently, GAO received a funding level

of \$430.2 million in fiscal year 1994, and the House fiscal year 1994 legislative branch appropriations bill included a fiscal year 1995 funding level of \$439.5 million—an increase of \$9.4 million. The final fiscal year 1995 conference report for legislative branch appropriations included \$449 million for GAO, \$10 million more than the House-passed bill. This Member's amendment would have reduced the fiscal year 1995 funding level of GAO to \$408.7 million, a reduction of \$30.9 million from the committee-approved bill, and \$21.5 million below fiscal year 1994's funding level.

This Member strongly believes that GAO is an agency where growth is out of control. It is an agency which also has not been responsive to individual Members, especially those who serve in the minority. The quality of work produced by the GAO is increasingly shoddy. While the quality of the work varies dramatically, unfortunately and inappropriately, all GAO reports are given the same high respect and credibility simply because they are GAO products. The level of personnel and budgetary resources provided to GAO for its work now is excessive and has grown disproportionately when compared with other congressional support agencies. In addition, GAO resources are also used in certain questionable cases for consultants, training, and for various unnecessary expenses. Concern has also been expressed that GAO is more interested in getting headlines than in supporting the Congress with required information.

From 1985 to 1993, the number of GAO investigations doubled from 457 per year to 915. In addition, GAO's budget jumped from \$46.9 million in 1965 to our current spending level of \$449 million, a percentage increase of nearly 1,000 percent in unadjusted dollars.

In fiscal year 1994, the number of full-time equivalent positions at GAO were reduced from the fiscal year 1993 amount by approximately \$6 million and 100 positions. However, additional cuts are still needed to account for the past growth at this agency, which this Member will outline. In 1980, for example, funding for GAO staff cost \$204 million. By 1985 that had grown to \$299 million. In 1988 it was \$330 million, and in 1989, \$346 million. The average increase between 1980 and 1990 was 8 percent per year. Then, in 1991, GAO was increased by 14 percent, to a total of \$409 million. In 1992, GAO received another 8-percent increase to \$443 million.

The GAO is the largest support agency for Congress, and, incredibly, its budget represents more than one-quarter of the total fiscal year 1995 legislative branch appropriations. GAO's budget is 7½ times the size of the Congressional Research Service, 19 times the size of the Congressional Budget Office, and 20 times the size of the Office of Technology Assessment.

According to a Democratic Study Group [DSG] special report issued on

May 24, 1994, in January 1994 the number of GAO employees was 4,597. This level is nearly as large as the staffing level of 4,617 for the entire Library of Congress—the largest library in the world—which also includes the staff of the Congressional Research Service.

Mr. Speaker, here is something that should catch the attention of the House and the Congress. According to this same study, in 1994, GAO's staffing level was nearly 2½ times as large as the 1,849 House committee staff members—during the 103d Congress, and more than one-half as large as the 7,340 individuals employed by all of the Members of the House together.

The DSG study also compares funding levels for the legislative branch from 1979 to 1994, in inflation-adjusted dollars. According to the DSG, the General Accounting Office has received one of the largest increases in funding for the entire legislative branch at an inflation-adjusted level of 13.5 percent during this time period.

Mr. Speaker, my colleagues, now hear this: The funding for other areas of the legislative branch have actually declined since 1979 in inflation-adjusted dollars, according to this study. For example, the Library of Congress received a 17.6 percent reduction, CBO was reduced by 3.8 percent, and Members' staff has even been reduced by 6.4 percent in inflation-adjusted dollars since 1979. But, again, the GAO has an inflation-adjusted increase in its budget of 13.5 percent.

In closing, Mr. Speaker, this Member strongly urges his colleagues to support efforts to reduce the funding level of the GAO. This Member will continue to support any Budget Committee or Appropriations Committee efforts regarding this matter and offer assistance in accomplishing this objective. If such appropriate cuts are not forthcoming, this Member will prepare to again offer budget reduction amendments for the GAO to be offered on the House floor.

□ 1050

REGULATORY TRANSITION ACT OF 1995

The SPEAKER pro tempore (Mr. EWING). Under a previous order of the House, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

Mr. MCINTOSH. Mr. Speaker, last November the American people sent a clear message to Washington: Get the government off our backs. Last week Congressman DELAY and I introduced a bill to do just that. It is called the Regulatory Transition Act of 1995. And what it does is put a moratorium in place on Federal regulations until June 30, 1995 so that we can enact the Contract With America and change the way the regulatory systems do business here in Washington.

This bill is a critical first step toward cutting bureaucratic redtape and protecting the middle class from the hidden tax of regulation. The Clinton

administration has admitted that regulations cost Americans at least \$430 billion each year. Leading economists have projected that Federal regulation costs the average family between \$8,000 and \$10,000 a year. The hidden tax of regulations affects everyone, and the middle class is hit hardest of all. Moms pay higher prices to put food on the table, and mothers and fathers pay higher prices for shoes for their children and for all kinds of services. Our mothers, our wives, our daughters are subject to greater risks of breast cancer because of the bungling at the FDA and the bureaucratic redtape that it takes to get new products on the market. Small business men and women spend over \$1 billion each year filling out redtape and other forms that the Federal Government requires. You know, Mr. Speaker, it has taken a shorter time than that to win wars in this country.

While these very human costs alone justify the moratorium on regulation, there is an even more ominous threat to our society that is not reflected in the figures that I mentioned. I am speaking of the strangling choke hold that bureaucratic redtape has on American spirit. Perhaps the most eloquent expression of this was made over 150 years ago by Alexis DeToqueville who observed that if America was ever to be ruled by a tyrant again it would come not in the form of a human tyrant, but in the form of a choking fog of regulation.

Mr. Speaker, this Congress has been elected to liberate the middle class and all Americans from this choking fog of regulation. Next Thursday, January 19, the House Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs will hold hearings on our bill to create a regulatory moratorium and to do just that.

On December 12, House Republican and Senate leaders asked President Clinton to voluntarily freeze new regulations for the first 100 days of the new Congress, but his administration has not chosen to do that. So our legislation will provide such a moratorium. It is extremely urgent since the administration's regulatory plan shows that the Clinton administration has about 4,300 new regulations that we plan to take up in 1995.

The moratorium on these new regulations will temporarily stop the Federal Government from loading even more burden onto the middle class and onto the American taxpayer and thereby give Congress time to pass the Contract With America and change the way we do regulations in this country from now on.

I am proud to be a cosponsor of the Regulatory Transition Act along with 51 other Members of Congress and encourage the remaining Members of this House to sign on to the bill and thereby demonstrate to the American people that we have heard the message and we will change the way we do business here in Washington. We will cut back

on the regulatory redtape and provide more freedom for all Americans to go about their business.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Colorado [Mr. MCINNIS] is recognized for 15 minutes as the designee of the majority leader.

[Mr. MCINNIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. BONIOR) to revise and extend their remarks and include extraneous material:)

Ms. JACKSON-LEE, for 5 minutes, today.

(The following Members (at the request of Mr. BEREUTER) to revise and extend their remarks and included extraneous material:)

Mr. GILLMOR, for 5 minutes, on January 17 and 19.

Mr. BEREUTER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MCINTOSH) and to include extraneous matter:)

Mr. COYNE.

Mr. PACKARD.

Mrs. LINCOLN.

Ms. PELOSI.

(The following Members (at the request of Mr. BONIOR) and to include extraneous matter:)

Mr. TORRES.

Ms. KAPTUR in two instances.

Mr. RICHARDSON in three instances.

Mr. KLECZKA.

Mr. REED.

Mr. CLAY.

(The following Members (at the request of Mr. BEREUTER) and to include extraneous matter:)

Mr. SOLOMON.

Mr. WELDON of Pennsylvania.

Mr. HOKE.

Mr. MCKEON.

Mr. GOODLING.

Mr. CAMP.

Mr. CUNNINGHAM.

ADJOURNMENT

Mr. MCINTOSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 55 minutes p.m.), under its previous order, the

House adjourned until Tuesday, January 17, 1995 at 9:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

143. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of December 1, 1994, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 104-18); to the Committee on Appropriations and ordered to be printed.

144. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Army, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

145. A letter from the Deputy Secretary of Defense, transmitting a report pursuant to section 6 of Public Law 103-378; to the Committee on National Security.

146. A letter from the Deputy Secretary of Defense, transmitting a report pursuant to section 132 of Public Law 103-337, the National Defense Authorization Act for fiscal year 1995; to the Committee on National Security.

147. A letter from the Deputy Secretary of Defense, transmitting certification that live-fire testing of the B-1 Conventional Mission Upgrade Program [CMUP] would be unreasonably expensive and impractical, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on National Security.

148. A letter from the Secretary of Defense, transmitting certification that the total cost for the planning design, construction, and installation of (building) equipment for the renovation of the Pentagon reservation will not exceed \$1,128,000,000; to the Committee on National Security.

149. A letter from the Director, Federal Emergency Management Agency, transmitting the Agency's report entitled, "A Unified Nation Program for Floodplain Management," pursuant to section 1302(c) of the National Flood Insurance Act of 1968; to the Committee on Banking and Financial Services.

150. A letter from the Acting Director, Office of Thrift Supervision, transmitting the Office's report to Congress on implementation of the Community Reinvestment Act of 1977, as amended, pursuant to 12 U.S.C. 2904; to the Committee on Banking and Financial Services.

151. A letter from the Secretary of Health and Human Services, transmitting the Department's second annual report to Congress on programs in achieving the performance goals referenced in the Prescription Drug User Fee Act of 1992 [PDUFA], pursuant to section 104(a) of the Prescription Drug User Fee Act of 1992; to the Committee on Commerce.

152. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed lease of defense articles to the United Nations for use in Bosnia (Transmittal No. 8-95), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

153. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 95-11, authorizing the furnishing of assistance from the emergency refugee and migration assistance fund to meet the urgent needs of refugees in the New Independent States [NIS] of the former Soviet

Union, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on International Relations.

154. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report pursuant to title VIII of Public Law 101-246, the Foreign Relations Authorization Act, as amended; to the Committee on International Relations.

155. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the steps the administration has taken to ensure that the goals of section 322 of the Foreign Relations Authorization Acts of 1992 and 1993 (which deals with the Arab boycott of Israel) are being met; to the Committee on International Relations.

156. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the outstanding expropriation claims in Nicaragua of United States persons; to the Committee on International Relations.

157. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 95-7: Resumption of U.S. Drug Interdiction Assistance to the Government of Colombia; to the Committee on International Relations.

158. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 95-9: Resumption of U.S. Drug Interdiction Assistance to the Government of Peru; to the Committee on International Relations.

159. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the Department of State will utilize the certification procedures of section 565(a)(3) of Public Law 103-236 at the U.S. Consulate General in Jerusalem; to the Committee on International Relations.

160. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's report to Congress on the participation or involvement of members of the Haitian Government in human rights violations between December 15, 1990, and December 15, 1994, pursuant to Public Law 103-423, section 4; to the Committee on International Relations.

161. A letter from the Secretary, Mississippi River Commission, Department of the Army, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1994, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

162. A letter from the Executive Director, Martin Luther King, Jr. Federal Holiday Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

163. A letter from the Director, OPM, President's Pay Agent, transmitting a report justifying the reasons for the extension of locally-based comparability payments to categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); to the Committee on Government Reform and Oversight.

164. A letter from the Inspector General, Smithsonian Institution, transmitting the Institution's 5-year strategic plan for fiscal years 1995 through 1999; to the Committee on Government Reform and Oversight.

165. A letter from the Secretary of Energy, transmitting notification that the report required pursuant to section 308 of title III of the Energy Conservation and Production

Act, as amended by section 101 of the Energy Policy Act of 1992 will be submitted by February 1, 1995; jointly, to the Committees on Commerce and Banking and Financial Services.

166. A letter from the Secretaries of the Interior and Energy, and Director, National Science Foundation, transmitting the Fourth Annual Report on the U.S. Continental Scientific Drilling Program, pursuant to 41 U.S.C. 31 note; jointly, to the Committees on Resources and Science.

167. A letter from the Administrator, Environmental Protection Agency, transmitting a final report on the study and technology demonstration program concerned with contaminated bottom sediments in the Great Lakes, pursuant to section 118(c)(7) of the Clean Water Act; jointly, to the Committees on Transportation and Infrastructure and Science.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOLOMON: Committee on Rules. H.R. 5. A bill to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes; with amendments (Rept. 104-1, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DEFAZIO (for himself, Ms. KAPTUR, Mr. HUNTER, Mr. ABERCROBIE, Mr. BROWN of Ohio, Mr. EVANS, Mr. EVERETT, Mr. HINCHEY, Mr. KLINK, Mr. LIPINSKI, Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. PALLONE, Mr. PETERSON of Minnesota, Mr. SANDERS, Mr. TAYLOR of Mississippi, Mr. TRAFICANT, and Ms. VELÁZQUEZ):

H.R. 499. A bill to require the withdrawal of the United States from the North American Free-Trade Agreement, and for other purposes; to the Committee on Ways and Means.

By Mr. BALLENGER (for himself, Mr. ARMEY, Mr. DELAY, Mr. STENHOLM, Mr. ARCHER, Mr. BAKER of California, Mr. BARTLETT of Maryland, Mr. BASS, Mr. BEREUTER, Mr. BOEHNER, Mr. BONO, Mr. BURR, Mr. CANADY, Mr. COBLE, Mr. COX, Mr. CRANE, Mr. DORNAN, Mr. DREIER, Mr. FAWELL, Mr. FUNDERBURK, Mr. GOODLATTE, Mr. GOODLING, Mr. GOSS, Mr. GRAHAM, Mr. HANCOCK, Mr. HERGER, Mr. HEFLEY, Mr. HOEKSTRA, Mr. HUTCHINSON, Mr. ISTOOK, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LARGENT, Mr. LINDER, Mr. LIVINGSTON, Mr. MCKEON, Mr. MOORHEAD, Mr. PACKARD, Mr. PORTER, Mr. RAMSTAD, Mr. ROGERS, Mr. SCHAEFER, Mr. SKEEN, Mr. TAYLOR of North Carolina, Mr. WOLF, and Mr. CHRISTENSEN):

H.R. 500. A bill to repeal the Davis-Bacon Act; to the Committee on Economic and Educational Opportunities.

By Mr. BARRETT of Nebraska:

H.R. 501. A bill to amend the Internal Revenue Code of 1986 to provide that certain cash rents will not result in the recapture of the benefits of the special estate tax valuation rules for certain farm and other real property; to the Committee on Ways and Means.

By Mr. CALVERT (for himself, Mr. HASTERT, Ms. MOLINARI, Mr. ROHRABACHER, Mr. MANZULLO, Mr. CASTLE, Mr. HUNTER, Mr. CUNNINGHAM, Mr. SAXTON, Mr. CANADY, Mr. SKEEN, Mr. MOORHEAD, Mr. HOLDEN, Mr. BONO, Mr. MCKEON, and Mr. LAUGHLIN):

H.R. 502. A bill to amend the Social Security Act to require the Secretary of Health and Human Services to establish a program to verify employee Social Security information, and to require employers to use the program; to the Committee on Ways and Means.

By Mrs. COLLINS of Illinois:

H.R. 503. A bill to require all providers of telecommunications services to establish and carry out plans for procurement from businesses owned by minorities and women, and for other purposes; to the Committee on Commerce.

By Ms. DANNER:

H.R. 504. A bill to amend the formula for determining the official mail allowance for Members of the House of Representatives; to the Committee on House Oversight.

By Mr. ENGEL:

H.R. 505. A bill to amend the Job Training Partnership Act to establish a program to assist discharged members of the Armed Forces to obtain training and employment as managers and employees with public housing authorities and management companies; to the Committee on Economic and Educational Opportunities.

H.R. 506. A bill to amend title 49, United States Code, to exempt noise and access restrictions on aircraft operations to and from metropolitan airports from certain Federal review and approval requirements, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 507. A bill to amend title XVIII of the Social Security Act to provide for coverage of expanded nursing facility and in-home services for dependent individuals under the Medicare Program, to provide for coverage of outpatient prescription drugs under part B of such program, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS (for himself and Mr. SHAYS):

H.R. 508. A bill to amend the Federal Property and Administrative Services Act of 1949 to ensure proper classification as employees and independent contractors of persons awarded Federal procurement contracts; to the Committee on Government Reform and Oversight.

H.R. 509. A bill to amend title 10, United States Code, to ensure proper classification as employees and independent contractors of persons awarded Federal procurement contracts; to the Committee on National Security.

H.R. 510. A bill to amend the Internal Revenue Code of 1986 and the Revenue Act of 1978 to revise the procedures applicable to the determination of employment status; to the Committee on Ways and Means.

By Mr. MCKEON (for himself, Mr. GOODLING, Mr. PETRI, Mrs. ROUKEMA, Mr. GUNDERSON, Mr. FAWELL, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. CUNNINGHAM, Mr. HOEKSTRA, Mr. CASTLE, Mrs. MEYERS of Kansas, Mr. SAM JOHNSON, Mr. TALENT, Mr. GREENWOOD, Mr. HUTCHINSON, Mr. KNOLLENBERG, Mr. RIGGS, Mr. GRAHAM, Mr. WELDON of Florida, Mr. FUNDERBURK, Mr. SOUDER, Mr. MCINTOSH, Mr. NORWOOD, Mr. KASICH, Mr. ZELIFF, Mr. BOEHNER, and Mr. MICA):

H.R. 511. A bill to provide for the establishment of a comprehensive and consolidated workforce preparation and development system in the United States; to the Committee on Economic and Educational Opportunities.

By Mr. MEEHAN (for himself, Mr. FRANKS of New Jersey, and Mr. QUINN):

H.R. 512. A bill to amend the Internal Revenue Code of 1986 to reduce the capital gains tax on stock of domestic corporations engaged in manufacturing and to index the basis of such stock for inflation; to the Committee on Ways and Means.

By Mrs. MEYERS of Kansas (for herself, Mr. ROBERTS, Mr. GOSS, Mr. SOLOMON, Mr. SCHAEFER, Mr. WICKER, Mr. STUMP, and Mr. WALSH):

H.R. 513. A bill to replace the program of aid to families with dependent children and the job opportunities and basic skills training program with a program of block grants to States for families with dependent children, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OXLEY (for himself, Mr. BOUCHER, Mr. FIELDS of Texas, Mr. TAUZIN, and Mr. HASTERT):

H.R. 514. A bill to repeal the restrictions on foreign ownership of licensed telecommunications facilities; to the Committee on Commerce.

By Ms. PRYCE:

H.R. 515. A bill to amend title 18, United States Code, to prevent Federal prisoners from engaging in activities to increase their strength or fighting ability while in prison; to the Committee on the Judiciary.

By Mr. RICHARDSON:

H.R. 516. A bill to authorize, with respect to certain former employees of the United States whose firefighting functions were transferred from the Department of Energy to Los Alamos County, NM, the payment of the amounts needed by those individuals in order to qualify for benefits under the retirement system to which they became subject as a result of the transfer; to the Committee on Government Reform and Oversight.

H.R. 517. A bill to amend title V of Public Law 96-550, designating the Chaco Culture Archaeological Protection Sites, and for other purposes; to the Committee on Resources.

H.R. 518. A bill to expand the boundary of the Santa Fe National Forest, and for other purposes; to the Committee on Resources.

By Mr. SOLOMON:

H.R. 519. A bill to prohibit foreign assistance to Russia unless certain requirements relating to Russian intelligence activities, relations between Russia and certain countries, Russian arms control policy, and the reform of the Russian economy are met; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS:

H.R. 520. A bill to amend the Internal Revenue Code of 1986 to double the maximum benefit under the special estate tax valuation rules for certain farm, and so forth, real property; to the Committee on Ways and Means.

By Mr. ZIMMER (for himself, Mr. ACKERMAN, Mr. BEILENSON, Mr. PALLONE, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 521. A bill to amend title 11 of the United States Code to make nondischargeable claims of governmental units for costs that are incurred to abate hazardous substances and for which the debtor is liable under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, certain claims under the Solid Waste Disposal Act, and claims under State laws similar in subject matter to such acts; and for other purposes; to the Committee on the Judiciary.

By Mr. ZIMMER (for himself, Mr. SAXTON, Mr. GREENWOOD, Mr. PALLONE, Mr. BEILENSON, Mr. ACKERMAN, Mr. BALDACCIO, and Mr. EHLERS):

H.R. 522. A bill to amend the Internal Revenue Code of 1986 to allow a credit against the estate tax for certain transfers of real property for conservation purposes; to the Committee on Ways and Means.

H.R. 523. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain bargain sales; to the Committee on Ways and Means.

By Mr. GILLMOR (for himself, Mr. FRANKS of New Jersey, Mr. COBURN, Mr. BARTLETT of Maryland, and Mr. LIVINGSTON):

H.J. Res. 54. Joint resolution proposing an amendment to the Constitution of the United States regarding federally mandated expenditures; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

By Mr. ENGEL introduced a bill (H.R. 524) for the relief of Inna Hecker Grade; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mrs. SEASTRAND.

H.R. 5: Mr. SHADEGG, Mr. GOODLING, Ms. PRYCE, Mr. INGLIS of South Carolina, Mr. TATE, Mr. WOLF, Mrs. SMITH of Washington, Mr. HASTINGS of Washington, Mr. SCARBOROUGH, Mr. LINDER, Mr. ROHRABACHER, Mr. BEREUTER, Mr. JONES, Mr. HOUGHTON, Mr. HEINEMAN, Mr. WALKER, Mr. SMITH of Texas, Mr. TAYLOR of North Carolina, Mr. STOCKMAN, Mr. LUCAS, Mr. GILLMOR, Mr. CRANE, Mr. EMERSON, Mr. TALENT, Mr. BAKER of California, Mr. HUNTER, Mr. HANSEN, Mr. ARMEY, Mr. BACHUS, Mr. BAKER of Louisiana, Mr. BALLENGER, Mr. BARR, Mr. BARTLETT of Maryland, Mr. BASS, Mr. BILBRAY, Mr. BROWNBACKE, Mr. BUNNING of Kentucky, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CHRISTENSEN, Mr. CHRYSLER, Mr. COLLINS of Georgia, Mr. DOOLITTLE, Ms. DUNN of Washington, Mr. ENSIGN, Mr. FIELDS of Texas, Mr. FLANAGAN, Mr. FRELINGHUYSEN, Mr. FRANKS of New Jersey,

Mr. GILCHREST, Mr. GOODLATTE, Mr. GUNDERSON, Mr. GUTKNECHT, Mr. HERGER, Mr. HOBSON, Mr. HOKE, Mr. HOSTETTLER, Mr. SAM JOHNSON, Mr. KASICH, Mr. KINGSTON, Mr. KNOLLENBERG, Mr. LIVINGSTON, Mr. LAHOOD, Mr. LATOURETTE, Mr. MCINTOSH, Mr. MARTINI, Mr. MANZULLO, Mr. PACKARD, Mr. QUILLEN, Mr. SALMON, Mr. SOLOMON, Mr. SANFORD, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. THORNBERRY, Mr. WAMP, and Mr. WELLER.

H.R. 8: Mr. TAYLOR of North Carolina, Mr. BARTLETT of Maryland, Mr. NUSSLE, Mr. CHABOT, Mr. BURTON of Indiana, Mr. NEY, Mr. NORWOOD, Mrs. VUCANOVICH, Mr. HUNTER, Mr. MANZULLO, and Mr. LIVINGSTON.

H.R. 9: Mr. LUCAS, Mr. BURTON of Indiana, Mr. NORWOOD, Mrs. VUCANOVICH, Mr. WALKER, Mr. HUNTER, Mr. CREMEANS, Mr. LIVINGSTON, Mr. LATOURETTE, Mr. SAM JOHNSON, and Mr. COLLINS of Georgia.

H.R. 11: Mr. SAM JOHNSON, Mr. COLLINS of Georgia, Mrs. SEASTRAND, Mr. SKEEN, and Mr. COX.

H.R. 24: Mr. TRAFICANT.

H.R. 26: Mr. McNULTY, Mr. SENSENBRENNER, and Mr. BARCIA of Michigan.

H.R. 34: Mr. EMERSON, Mr. CHRYSLER, Mr. FORBES, Mr. ENGLISH of Pennsylvania, and Mr. BARTLETT of Maryland.

H.R. 52: Ms. FURSE, Mr. ENGLISH of Pennsylvania, Ms. WOOLSEY, Mr. GEJDENSON, and Mr. ZIMMER.

H.R. 66: Mr. LATHAM, Mr. ENGLISH of Pennsylvania, and Mr. McDADE.

H.R. 77: Mr. SCHAEFER, Mr. FRANK of Massachusetts, and Mr. LINDER.

H.R. 106: Mr. KING.

H.R. 117: Mr. SOLOMON, Mrs. FOWLER, Mr. CONDIT, Mr. KNOLLENBERG, and Mr. CASTLE.

H.R. 217: Mr. LINDER and Mr. KNOLLENBERG.

H.R. 218: Mr. LINDER.

H.R. 230: Mr. DOOLITTLE, Mr. ROHRBACHER, Mr. BARTLETT of Maryland, Mr. BUNNING of Kentucky, Mr. CRANE, and Mr. CHRYSLER.

H.R. 359: Mrs. SEASTRAND, Mr. EMERSON, Mr. WICKER, Mr. HANSEN, Mr. ENGLISH of Pennsylvania, and Mr. LANTOS.

H.R. 394: Mr. HOLDEN, Mr. GUNDERSON, Mr. SKEEN, Ms. MOLINARI, Mr. BALLENGER, and Mr. KNOLLENBERG.

H.R. 442: Mrs. FOWLER, Mr. CREMEANS, Mr. BUNN of Oregon, Mr. MINGE, Mr. WALSH, Mr. ROYCE, Mr. BARTON of Texas, Mr. OBERSTAR, Mr. GOODLATTE, Mr. McKEON, Mr. LIVINGSTON, Mr. BOUCHER, Mrs. VUCANOVICH, Mr.

COLLINS of Georgia, Mrs. MORELLA, Mr. MOORHEAD, Mr. KLUG, Mr. DREIER, Mr. GOODLING, and Mr. PETE GEREN of Texas.

H.R. 449: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOUCHER, and Mr. NEY.

H.R. 452: Mr. KLUG, Mr. SAXTON, Mr. HOLDEN, and Mr. ENGLISH of Pennsylvania.

H.R. 464: Mr. CRANE, Mr. BURTON of Indiana, Mr. NEY, Mr. STUMP, Mr. HANCOCK, Mr. PACKARD, Mr. EMERSON, Mr. MCCOLLUM, Mr. DELAY, Mr. BOUCHER, Mr. MOLLOHAN, Mr. CUNNINGHAM, Mr. WISE, and Mr. SHUSTER.

H.R. 489: Mr. CUNNINGHAM, Mr. BONO, and Mr. CHRYSLER.

H.R. 490: Mr. COMBEST and Mr. BONILLA.

H.J. Res. 48: Mr. BURTON of Indiana, Mr. FALEOMAVAEGA, Mr. BLILEY, Mr. FOLEY, Mr. CALLAHAN, Mr. DORNAN, Mr. HEFLEY, Mr. COX, Mr. CREMEANS, Mr. FORBES, Mr. COBURN, Mr. HAYES, Mr. DELAY, Mr. GALLEGLY, Mr. GOSS, Mr. EMERSON, Mr. LEWIS of California, Mr. HOBSON, Mr. WALSH, Mr. MOORHEAD, Mr. ROBERTS, Mr. STUMP, Mr. ROHRBACHER, Mr. TALENT, Mr. ZIMMER, Mr. HOEKSTRA, Mr. SPENCE, Mr. BLUTE, Mr. TIAHRT, Mr. CHRISTENSEN, Mr. SMITH of Texas, Mr. CHAMBLISS, Mr. CALVERT, Mr. MCCRERY, Mr. SHUSTER, and Mr. GREENWOOD.

H.J. Res. 49: Mr. BOUCHER, Mr. GIBBONS, and Mr. BARRETT of Wisconsin.

H. Con. Res. 13: Mr. McDERMOTT, Ms. HARMAN, Mrs. MALONEY, Mr. BRYANT of Texas, Mr. ABERCROMBIE, Ms. SLAUGHTER, Mr. DICKS, Mr. MOAKLEY, Mr. JOHNSTON of Florida, Mr. WYNN, Mr. RANGEL, Mr. GEJDENSON, Mrs. KENNELLY, Ms. ROYBAL-ALLARD, Ms. PELOSI, Mr. CARDIN, Mr. ACKERMAN, Mr. BROWN of California, Mr. BOUCHER, and Mr. STARK.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

To H.J. RES. 1

By Mr. WISE

AMENDMENT NO. 1: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE

"SECTION 1. Total outlays of the operating funds of the United States for any fiscal year shall not exceed total receipts to those funds for that fiscal year plus any operating fund balances carried over from previous fiscal years.

"SECTION 2. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House of the Congress, that becomes law. If real economic growth has been or will be negative for two consecutive quarters, Congress may by law waive the article for the current and the next fiscal year.

"SECTION 3. Not later than the first Monday in February in each calendar year, the President shall transmit to the Congress a proposed budget for the United States Government for the fiscal year beginning in that calendar year in which total outlays of the operating funds of the United States for that fiscal year shall not exceed total receipts to those funds for that fiscal year.

"SECTION 4. Total receipts of the operating funds shall exclude those derived from net borrowing. Total outlays of the operating funds of the United States shall exclude those for repayment of debt principal and for capital investments in physical infrastructure that provide long-term economic returns but shall include an annual debt servicing charge. The receipts (including attributable interest) and outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall not be counted as receipts or outlays for purposes of this article.

"SECTION 5. This article shall be implemented and enforced only in accordance with appropriate legislation enacted by Congress, which may rely on estimates of outlays and receipts.

"SECTION 6. This section and section 5 of this article shall take effect upon ratification. All other sections of this article shall take effect beginning with fiscal year 2002 or the second fiscal year beginning after its ratification, whichever is later."